

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

October 2, 2012

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hannum at 9:07 a.m. on October 2, 2012.

(a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Ron Brown
Michael Christoffersen
Michael Corey
Hattie Sims, representing the Commissioner, Department of Labor
David Hannum, Chairman
John Hawkins
Todd Hite, representing the Commissioner, Department of Health
Matt Mitchell
Ted Ogle, Vice-Chairman

Commissioners not present at the Commission meeting:

Tom Cloud

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services
Cecilia Ernstes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
John Haines, Code Specialist
John Hibner, Code Specialist
Beth Sutor, Secretary

(c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.

Chairman Hannum announced that Commissioner John Hawkins and his architectural firm, Kovert Hawkins Architects, Inc., had been acknowledged in the Ball State University College of Architecture and Planning newsletter for their philanthropic leadership both in educational programs at BSU and community projects in the Jeffersonville/Louisville area.

2. Old Business.

A call for any corrections or a motion to approve the minutes of the September 5, 2012 meeting as distributed was made. Commissioner Corey moved to approve the minutes as distributed, with the second by Commissioner Mitchell. It was voted upon and carried.

3. Ordinances

City of Sellersburg
Building Code Ordinance 2012-004
and Ordinance 2012-012
Sellersburg, Indiana

Mara Snyder, Director, Legal and Code Services, advised the Commissioners that the ordinance, as amended, was in order and recommended approval. Commissioner Corey moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

City of Rushville
Property Maintenance Code
Rushville, Indiana

Mara Snyder, Director, Legal and Code Services, advised the Commission that there was a memo from Shelly Wakefield, Manager, Code Technical Development, accompanying the proposed ordinance, in which she noted provisions which were in conflict with or more stringent than the current codes. She had also expressed concern involving the fiscal impact of the ordinance upon the community. Commissioner Corey moved to deny, with the second by Commissioner Mitchell. It was voted upon and carried.

City of Madison
Severe Weather/Emergency Shelters for 1&2 Family Dwellings
Madison, Indiana

Mara Snyder, Director, Legal and Code Services, advised the Commissioners that this type of ordinance was being seen by them for the first time. The ordinance was the adoption of Federal Standards for safe rooms within residences. Commissioner Ogle moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

4. Third Party Inspections

NTA, Inc.
305 North Oakland Avenue
P.O. Box 490
Nappanee, IN 46550

Marc Reynolds, Fire and Building Code Enforcement, presented the application and recommended approval. Commissioner Ogle moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

5. Variances.

Tabled Variances.

Variance 12-05-12, The Well, United Brethren in Christ Church Renovation, Huntington, had no proponent present. Commissioner Ogle moved to table until the November meeting, with the second by Commissioner Brown. It was voted upon and carried. Ed Rensink, RTM Consultants, spoke as proponent for variance 12-06-41, The Warehouse by the Family Center, Bloomington. He asked that the application be tabled. Commissioner Corey moved to table, and Commissioner Mitchell made the second. It was voted upon and carried. Variance 12-08-9, Karl Kunisch Building Remodel, Middlebury, had been withdrawn. The proponent for 12-08-44, Sycamore Farms Event Center, Bloomington, had requested the application be tabled. Commissioner Corey moved to table, with the second by Commissioner Ogle. It was voted upon and carried. Variance 12-09-4, LaJoya Apartments, Indianapolis, was incomplete and was not heard. Variance 12-09-7, Sleeping Room Width, Bloomington, was incomplete and was not heard. Variance 12-09-29, University of Indianapolis Roberts Hall, Indianapolis, was represented by Ed Rensink, RTM Consultants. The request had been to allow the use of residential hoods, exhausted to the exterior, over residential stoves in the lounge areas of the dorm. The hoods would have fire stop canisters installed. T.J. Burns, Indianapolis Fire Department, stated that he had no objections. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Ogle. It was voted upon and carried with one nay vote. Variance 12-09-32, Indiana Convention Center National Truck Driving Championships, Indianapolis, was represented by Christina Colleston, RTM Consultants. The request was for a single event in 2016 in which 27 diesel trucks were located in and were to run an obstacle course laid out on the floor of the Convention Center. The trucks were to carry 75 gallons of fuel, with any fueling to be done outside the building. Seating for spectators would be along walls which would have egress through four exits which did not require crossing the event field. Specialized foam fire-fighting equipment was to be provided, and a firewatch was to be posted in addition to the EMS service and regular security on site. Ms. Colleston stated that the exhaust capacity of the Convention Center meets the levels required by the American Trucking Association for the event, and the emissions were to be constantly monitored. She said that the local officials had seen and approved the plans for the event. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance 12-09-34, YMCA of Vincennes, Vincennes, had no proponent present. Mara Snyder, Director, Legal and Code Services, advised the Commission that, based on the proposed changes described in their handout, the variance was no longer required. Commissioner Christoffersen moved that no variance was required, with the second by Commissioner Mitchell. It was voted upon and carried. Variance 12-09-38(a)(b), St. John's Lutheran Church Addition, Aurora, did not have a proponent present. Commissioner Ogle moved to table, with the second by Commissioner Hite. It was voted upon and carried. Variance 12-09-39, Greendale Pool, Greendale, did not have a proponent available. Commissioner Brown moved to table, with the second by Commissioner Mitchell. It was voted upon and carried. Al Putnam, Greendale Building Commissioner, advised the Commission that the plans for the pool had been filed with the required number of showers, and that it was going out to bid by October 15th. Variance 12-09-42, Mercy Road Church, Indianapolis, was represented by Ed Rensink, RTM Consultants. He noted that the plans had been revised, and that they had met with the fire department. The fire officials had requested that there be panic hardware installed on both side of the egress doors in question, and there be no locking devices installed on these doors. Following discussion, Commissioner Christoffersen moved to approve with the condition that the variance was for these two tenants only. Commissioner Brenner made the second. It was voted upon and carried. Variance 12-09-43(b)(c), North American Composites Proposed Renovation, Mishawaka, was represented by Tim Callas, J&T Consulting. Variance (b) was to allow two chill rooms to not comply with required continuous ventilation. The rooms were to be provided with sensors which will turn on the ventilation system if the atmospheres in the sprinklered rooms reach the lower explosive limit. An alarm would sound in a monitored station to initiate a response from the employees. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (c) was to allow three ¾ hour rated windows to remain in a three hour fire barrier, separating the warehouse and the second floor conference room and administrative area. Additional sprinkler heads would be placed over the windows on the warehouse side. Following discussion, Commissioner Brown moved to approve, with the second

by Commissioner Corey. It was voted upon and carried. Variance 12-09-52(a)(b), Lebanon Boys and Girls Club, Lebanon, was represented by Mark Vickery, contractor. Also presenting was Angie Veatch, Executive Director. Mr. Vickery noted that only electrical service was going into the portion of the addition which was not to be used for storage. An exit door was to be moved to provide better travel distance. The kitchen, separated by a 1-hour barrier, was to be used as a warming kitchen only. The building was to have smoke alarms which were to be hooked into a monitored alarm system with pull stations. Following discussion, Commissioner Hawkins moved to approve both variances with the condition that the kitchen be separated with one-hour walls, that it be a warming kitchen only, and that the fire alarm system be extended into the addition. Commissioner Christoffersen made the second. It was voted upon and carried.

Regular Variances.

Chairman Hannum asked for any abstentions or variances to be called out of the block vote. Hearing none, he called for a motion. Commissioner Corey moved to approve all variances with an "A" or "B" rating by staff, with the second by Commissioner Hite. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 12-10-1 502 E. Graham Place Windows, Bloomington
- (2) 12-10-10(b) Lilly Building K312-314, Indianapolis
- (3) 12-10-12 Indianapolis Fire Station #4, Indianapolis
- (4) 12-10-16(a)(b) Shenandoah High School-Middle School Addition, Middletown
- (5) 12-10-21 Southwest Allen County Fire Station #4, Roanoke
- (6) 12-10-22(e)(h) 9 on Canal, Indianapolis
- (7) 12-10-24 401 S. Highland Avenue Windows, Bloomington
- (8) 12-10-28 Kosciusko Community Hospital Medical Office Building, Warsaw
- (9) 12-10-35 The Hamilton Apartment House, Fishers

The following variances were heard separately:

- (10) 12-10-3 QRS Direct Warehouse, New Albany

Dwight Jansen, QRS, spoke as proponent. The request was to omit upgrading the sprinkler system currently installed in the rented warehouse for high-piled storage of Class A plastics. The materials stored in the warehouse were components of plastics recycling, and the proponent pointed out they were not stacked above twelve feet. Following a lengthy discussion which included storage in another building on site and not needing the variance if materials he had were stacked less than the six feet high allowed, Commissioner Brenner moved to deny, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (11) 12-10-4 First Church of Nazarene, LaPorte

No proponent was available for questions. Commissioner Christoffersen moved to table, with the second by Commissioner Ogle. It was voted upon and carried.

- (12) 12-10-5 Nine Irish Brothers, Lafayette

No proponent was available for questions. Commissioner Ogle moved to table, with the second by Commissioner Brown. It was voted upon and carried.

- (13) 12-10-6(a)(b) Rockland Flooring, Monon

Alan Schambach, FBI Buildings, spoke as proponent. Also present was Brian Pogue, owner's representative. The request was to be allowed to build a roof over an area of concrete between two existing buildings, used as a staging area for shipping, in order to keep materials dry during inclement weather. This would be an open-side, freestanding structure. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (14) 12-10-7 Applied Behavior Center of Autism, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the use of a time-out room with a door held shut by an electronic device operated by constant pressure on a button by the door. When the pressure is released, the door opens. Sam Bruner, Pike Twp. Fire Department spoke, stating he wanted a spring device on the door which would open it when the power to it goes off. Following discussion, Commissioner Brenner moved to approve with the condition that the door swing was to be changed to open out and that the door would open /release upon loss of power. Commissioner Mitchell made the second. It was voted upon and carried.

- (15) 12-10-8(a)(b) Shishewana School, Shishewana

Ernest Layman, Board member, spoke as proponent. The request was to omit sprinklers and lighted exit signs. The one-story school, with a teacher's apartment, was to have reflective exit signs and battery-operated smoke detectors. The apartment was to have a two-hour separation wall from the school, and its own exit. There were to be three exits from the school. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried with one nay vote.

- (16) 12-10-9 The Victory Theatre, Evansville
12-10-11 The Centre, Evansville

Dave Rector, Evansville Building Authority, spoke as proponent. The request was to be allowed to use the pyrotechnic setting for the fire alarm system when theatrical pyrotechnics and/or smoke were used during a performance. Sprinklers were to remain active over the seating area, and a firewatch was to be posted during performances which used the pyrotechnics and/or smoke. Following discussion, Commissioner Ogle moved to approve with the condition that only NFPA 1126 indoor pyrotechnics would be allowed, with the second by Commissioner Corey. It was voted upon and carried.

- (17) 12-10-10(a)(c)(d)(e) Lilly Building K312-314, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was a request to amend a variance granted in 1995 to allow the use of pressurized liquid dispensing containers, a new technology covered under Section 10.4 and Table 10.1.2 of the 2011 NFPA 45. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was to allow the 4-hour area separation wall constructed as part of a previous addition to remain not structurally independent, as allowed by the code under which it was constructed in 1998. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted

upon and carried. The proponent had requested variance (d) be tabled. Commissioner Corey moved to table, with the second by Commissioner Ogle. It was voted upon and carried. Variance (e) was a request to use the code of record to establish the control areas of the flammable liquids instead of current code. The building is fully sprinklered. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

Breaking and reconvening. Chairman Hannum recessed the Commission at 10:40 a.m. It was called back to order at 10:55 am.

(18) 12-10-13 The King's Kingdom Child Care Center Remodeling, Decatur

Tim Callas, J & T Consulting, spoke as proponent. The existing daycare ministry had decided to become a licensed day care through the Division of Family Resources of FSSA. The request was to omit the required sprinkler system. They have added exits directly to the exterior from classrooms except for the 3-year-old room, and have separated the warming kitchen with a 1-hour separation. They will also be adding a smoke and fire alarm system. When changed to an E-occupancy, the daycare conversion was 875 square feet over area to be unsprinklered. Following discussion, Commissioner Hawkins moved to approve with the condition that an exit to the exterior was to be provided from the 3-year-olds room. Commissioner Christoffersen made the second. It was voted upon and carried with one nay vote.

(19) 12-10-14(a)(b)(c)(d) Taylor University New Residence Hall, Upland

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was to allow an open three-story stair in the building protected by an NFPA 13 sprinkler system. The stair, designed to allow free movement in this portion of the building, would be protected with draft curtains and close spaced sprinklers. Two other means of egress were to be provided from each floor. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (b) was a request to omit the required ceiling radiation dampers in the ductwork. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was to omit the smoke dampers in the supply air ducts going through the thirty minute rated corridor walls. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (d) was to allow some areas to not have the complete half hour sleeping unit separations due to columns intersecting with rated walls. These columns are in fully sprinklered closets. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(20) 12-10-15 MaxFitness Remodel, Ft. Wayne

Tim Callas, J & T Consulting, spoke as proponent. An existing A-3 space was to add area being changed from an M occupancy to an A-3 occupancy under the expansion of their business. The additional space would put them over-area for Type IIB construction by 705 square feet. The A-3 occupancy area was to be separated from the rest of the building by a two-hour fire barrier. Jim Maura, Ft. Wayne Fire Department, addressed the Commission. He stated that he felt the area needed to be sprinklered, pointing to the fire doors in the fire barrier walls which could be propped open and thereby negate their effectiveness. Following discussion of the fire doors and magnetic hold-opens, Commissioner Mitchell moved to approve with the condition that an automatic smoke detection system was to be installed, and that the doors in the fire barrier were to be on magnetic hold-opens connected to the fire alarm system. Commissioner Corey made the second. It was voted upon and carried with one nay vote.

- (21) 12-10-17 Parrish Leasing, Inc, Ft. Wayne

Tim Callas, J & T Consulting, spoke as proponent. The request was to have a portion of the building not be within the code required 400 feet of a fire hydrant. The building was located within an industrial park, and housed truck and trailer parts in the unheated building. Jim Maura, Ft. Wayne Fire Department, did not object to the variance. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (22) 12-10-18 Lincoln Apartments Veteran Housing, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a Type II residential hood to be installed over the residential range installed in the first floor lounge area of the building. The hood would be fitted with Stove Top Fire Stop extinguisher canisters, and the building was to be sprinklered in accordance with NFPA 13. The lounge was to be separated from the R-2 area of the building by a 2-hour occupancy separation (fire barrier). Following discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Brown. It was voted upon and carried.

- (23) 12-10-19(a)(b) PCS Hammond LLC Regional Distribution Center Potash Storage Building, Hammond

Peter Christensen, Engineer, spoke as proponent. The request in variance (a) was to omit sprinklers due to the potential environmental harm if contaminated water be allowed to escape the facility. There is an automated production system in the building and, under normal operating conditions, personnel are not required inside the building. The system was, in fact, set up to kill the machinery if a door opened so as to prevent injury to personnel. Therefore, access every fifty feet for rescue personnel would also not be necessary. Following a lengthy discussion of access and its spacing, Commissioner Hawkins moved to table to allow the proponent time to revise his drawings. Commissioner Corey made the second. It was voted upon and carried. Variance (b) was a request to exceed the 500 feet allowed by code to reach restroom facilities. The unheated storage structure is normally unoccupied, and would not require restroom facilities. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (24) 12-10-20 Hendricks County Courthouse Renovation, Danville

Ed Rensink, RTM Consultants, spoke as proponent. The County Superior Court 5 was to be moved from the third floor to the second floor, currently housing offices. This would be a change of occupancy, and would require compliance with current code. The unsprinklered building, listed on the National Register of Historic Places and limited in allowed renovations, would have smoke detection provided throughout the renovated area of the second floor. Two means of egress are provided from the court, though they do not comply with required exit separation. Following a lengthy discussion, Commissioner Christoffersen moved to approve with the condition that the variance application be amended to show the variance was to 675 IAC 12-4-12 because the exits on the new floor aren't remote. Commissioner Corey made the second. It was voted upon and carried.

- (25) 12-10-22(a)(b)(c)(d)(f)(g)(i)(j) 9 on Canal, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was a request to allow a two-story plus basement building to be used as a podium structure. The building, a Type I-A construction enclosed parking garage with two stories and a basement, was to have commercial or accessory tenant space opening onto the canal. The building would be sprinklered per NFPA 13, and the parking levels would have 3 enclosed egress stairs, with 2 discharging directly to the exterior. Variance (b) was a request to allow a vertical 3-hour separation from a Type V-A structure instead of the horizontal separation as code language implies. Both buildings would be sprinklered. Commissioner Brown moved to approve both (a) and (b), with the second by Commissioner Mitchell. It was voted upon and carried. Variance (c) was a

request to set a fixed occupant load of 400 persons for the rooftop terrace in lieu of a calculated occupant load. Following a lengthy discussion, Commissioner Mitchell moved to approve with the condition that the maximum occupant load would be 400 unless the applicable occupant load factor resulted in a lower occupant load. Commissioner Corey made the second. It was voted upon and carried. Variance (d) was to allow the two-hour and three-hour fire walls to not comply with the structural stability requirement due to the tie-in with structures on one or both sides of the fire walls. The buildings on both sides of the fire walls were to be sprinklered. Following discussion, Commissioner Hawkins moved to approve with the condition that the walls were masonry. Commissioner Ogle made the second. It was voted upon and carried. Variance (f) was to omit access to the combustible attic areas. The height along the length of the roof framing was from 22" to 36", and framing members within the open-web trusses would make entry difficult. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Variance (g) was to allow clothes dryer exhaust duct lengths on the residential floors to exceed the permitted 25 feet. Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (i) was to omit elevator lobby vestibules on each floor of the 9-story building. The podium design was to be sprinklered throughout per NFPA 13. Commissioner Brenner moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance (j) was to allow the use of PVC piping for the roof storm drainage system. Current code limits the use to three-story buildings, but the 2012 Indiana Plumbing Code will not limit the number of stories. The system will comply with the 2012 Indiana Plumbing Code. Commissioner Brenner moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

Breaking and reconvening. Chairman Hannum recessed the Commission for lunch at 12:02 p.m. It was called back to order at 1:10 p.m.

(26) 12-10-23 Summerlin Realty Elevator, Indianapolis

Nancy Summerlin spoke as proponent. The request was to be allowed to delay the installation of a new safety bulkhead, cited by the Elevator Safety Division in July 2012. Due to financial constraints they currently face, they would like to delay the installation until 2013. Mid-America does a monthly inspection and maintenance, and have not expressed concern about the safety of its operation. Following discussion, Commissioner Corey moved to approve with the condition that a monthly oil log be maintained and a quarterly pressure test be performed and both be submitted to staff. Commissioner Christoffersen made the second. It was voted upon and carried.

(27) 12-10-25 Epiphany Evangelical Lutheran Church, Westfield

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to omit the code-required accessible access to the raised chancel area. The general congregation does not enter the chancel area, with its use restricted to the pastor and sacristy committee only. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried with one nay vote.

(28) 12-10-26 Mercer Belanger Tenant Finish, Indianapolis

Ed Rensink, RMT Consultants, spoke as proponent. The request was to omit fire-rated glazing at the front entry to the tenant space and rated corridor walls. The tenant space was within a building which was 98% sprinklered, and the remaining unsprinklered portion of the building was due to be completed in December 2012. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

- (29) 12-10-27(a)(b)(c) First Capital Christian Church, Corydon

Vadim Kaplan, Studio A Architecture, spoke as proponent. The original signatures, proof of notification from the local fire department, and payment of application fees were not listed as submitted. The proponent stated they had been submitted, and following phone calls to the office and discussion with staff, the Commission decided that they could make their presentation and submit the missing forms by October 3, 2012. Variance (a) was a request to omit accessibility to the pre-fabricated baptistery. Access to the top of the baptistery would be from the pulpit, and assistance would be provided by the church for anyone requiring accessibility. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was to allow the proposed ramp to not meet the 1:12 requirement. The ramp, steeper than allowed, would have a guardrail on one side and a 4" curb on the other. Anyone needing accessibility would be assisted by the church. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (c) was to omit ADA compliant bathrooms in the Toddler classrooms. Accessible adult bathrooms are provided nearby, with the toilet facilities in the classroom intended to be used by children. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

- (30) 12-10-29(a)(b)(c) Sourwine Office Building, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in variance (a) was to omit accessible stairs and elevator standby power as called out in the City of Indianapolis plan review. The proponent noted that these were not required per Sec. 1007.3 and 1007.2.1 of the Indiana Building Code since the building was to be fully sprinklered. Commissioner Hawkins moved that no variance was required, with the second by Commissioner Brenner. It was voted upon and carried. Variance (b) was to allow the exit stair discharge through the elevator lobby which has obvious paths to the two exterior exits. The residents of the sprinklered building would be familiar with the exit locations. Following a lengthy discussion, Commissioner Brenner moved that no variance was required, with the second by Commissioner Christoffersen. It was voted upon and carried with two nay votes. Variance (c) was a request to allow the use of the vinyl wall coverings glued to gypsum wallboard in the restrooms. This had been called out during the City of Indianapolis plan review as not a "smooth, hard, nonabsorbent surface". Commissioner Brenner moved that no variance was required, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (31) 12-10-30(a)(b)(c)(d)(e) Indiana State University North Residence Hall East Building, Terre Haute
12-10-31(a)(b)(c)(d)(e) Indiana State University North Residence Hall West Building, Terre Haute

The applications were incomplete and ineligible to be heard. Commissioner Ogle moved to table, with the second by Commissioner Corey. It was voted upon and carried.

- (32) 12-10-32 State Street Corner Leasing Office Tenant Build-Out, West Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. A leasing office was to go into a space formerly occupied by a restaurant. The request was to be allowed to change occupancy without complying with current code. A 12-inch cmu wall separated the building area into which the 1,250 square foot tenant space was to go from the rest of the Type VB construction building. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

- (33) 12-10-33(a)(b) Main Gate Sports Bar and Restaurant, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. Brent Hancock, Manager, also appeared. The request in (a) was to request points needed in Fire Safety, Means of Egress, and General Safety to pass the Chapter 34 review, and variance (b) was a request to allow the sprinkler system to be installed in one year, giving the owners time to finance it. Maximum points had been reached in the categories of sprinklers, automatic fire detection and fire alarm systems. A fire alarm and

detection system was to be installed throughout the building. The area shown as dj/band area would be used by a dj only. The band would be placed in another area. Beer would be the only item stored in the basement, and no occupancy would be allowed on the second floor or mezzanine. It was brought to the Commission's attention that the bar had been cited when Excise had found more than the 99 occupants allowed by a previous variance upon an inspection. Brent Hancock stated that, as new management, he had been unaware of the limitation and that steps had been taken to avoid it happening again. An off-duty policeman had been hired to be posted by the entrance to monitor and limit the occupant count. A request to increase the occupant load to 238 was also presented. It was explained that to make enough to be able to finance the sprinklers would require additional patrons, and an explanation of how they had arrived at the requested occupant load number also was provided. Marc Reynolds, Fire and Building Code Enforcement, also addressed the Commission, expressing his concern with the length of extension requested, the occupant load and the back exit. Mr. Hancock stated that they would install the automatic and fire alarm systems immediately. Following a lengthy discussion, Commissioner Brown moved to approve (b) if the sprinkler system was installed by May 1, 2013. Commissioner Brenner made the second. It was voted upon and carried. Commissioner Brenner then moved to approve (a) with the condition that no pyrotechnics and no candles were to be allowed at any time, and that an automatic and manual fire alarm system was to be installed with automatic shut off of the audio system at activation of the fire alarm not later than December 31, 2012. Commissioner Ogle made the second. It was voted upon and carried.

(34) 12-10-34 Stepping Stones Preschool, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Also present was Tanika Osborne, owner of the preschool. The request was to be allowed to use Chapter 34 based on the E occupancy portion of the building only, and to permit an overall passing score. The proponent also requested that they be allowed partial occupancy of a portion of the tenant space with less than fifty occupants and a single exit until the second exit is available for use, allowing occupancy of the entire space. A manual fire alarm and smoke detection system was to be provided. Two exits directly to the exterior were to have panic hardware, and egress travel distance was to be 85 feet. Following discussion, Commissioner Hawkins moved to approve for forty-five days from the date of Commission approval. Commissioner Christoffersen made the second. It was voted upon and carried.

(35) 12-10-36(a)(b) Mt. Pleasant Christian Church, Greenwood

Christina Collester, RTM Consultants, spoke as proponent. Variance (a) was a request to allow the use of a two-hour fire barrier in lieu of the required two-hour fire wall to separate the new addition from the existing building. There would be great difficulty achieving structural stability since the existing construction contained horizontal offsets and other difficult angles. Variance (b) was to allow the addition to obstruct a small section of the existing open perimeter. Both buildings were to be sprinklered. Mike Arany, White River Twp. Fire Department, spoke to the Commission, saying he had no objections to the variances. Commissioner Hawkins moved to approve both (a) and (b), with the second by Commissioner Corey. They were voted upon and carried.

(36) 12-10-37 Holland Memorial Park Building Addition and Renovation, Fishers

Ed Rensink, RTM Consultants, spoke as proponent. The request was to be allowed to install the sprinkler system during the second phase of construction, and to be allowed to occupy the completed first phase of construction for the expected two years until completion of the second phase. Phase One is restroom facilities and an enclosure of an outdoor attached shelter space. Phase Two was interior renovation and conversion of existing space to banquet and reception facilities, meeting rooms and storage areas. Mark Fasel, Building Commissioner of Fishers, also addressed the Commission. He explained that the funding for the project was through grants, and that the project could not be done in a single phase. When asked how anyone would know when the two-year period was to begin, it was suggested that a copy of the certificate of occupancy be sent to staff. Following discussion, Commissioner Corey moved to approve with the condition that the facility must be sprinklered by June 30, 2015, with the second by Commissioner Ogle. It was voted upon and carried.

(37) 12-10-38 Rushton Apartments, South Bend

Ed Rensink, RTM Consultants, spoke as proponent. A variance had previously been granted reducing the separation of exits to 22% of the diagonal instead of the required $\frac{1}{3}$. But due to a change in the design based upon Historic Tax Credit application requirements, the request was to further reduce the separation to 13.5% of the overall diagonal of the existing building. The building was to be sprinklered, and a new enclosed stair will replace the exterior stair/fire escape. The site didn't allow construction of a new stair outside the building footprint or in any other location. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(38) 12-10-39(a)(b) Franciscan St. Francis Health Education & Support Services Center, Greenwood

Ed Rensink, RTM Consultants, spoke as proponent. A variance had previously been granted, but when it was discovered that an installation of a separate material unrelated to the variance had been made, the variance needed to be resubmitted. Variance (a) was to allow the installation of vinyl-faced insulation installed at roof level without proof of compliance with the 25 flame spread and 50 smoke development rating. Variance (b) was to allow spray polyurethane foam insulation within the return-air plenum to provide thermal insulation for an existing perimeter gutter system. Following discussion, Commissioner Hawkins moved to approve both, with the second by Commissioner Brenner. It was voted upon and carried.

(39) 12-10-40 Hendricks County Sports Complex Softball Pavilion, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the first floor of the structure to not comply with the Indiana Energy Conservation Code since it is only the restrooms that are heated and cooled with the concession area, storage and office unconditioned. The block walls will not comply with building envelope requirements, and a Comcheck for the first floor was also to be omitted. The second floor assembly space was to comply with prescriptive requirements. Commissioner Hawkins moved to approve with the condition that a Comcheck be submitted for the second floor as a separate building. Commissioner Christoffersen made the second. It was voted upon and carried.

(40) 12-10-41 Fashion Mall at Keystone Additions & Renovations, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the use of tempered glazing in the 2-story shaft of the observation elevator, with laminated glazing in the cab; code requires laminated. The proponent stated that the area was due to be completed in November, and that to reorder and reinstall laminated glazing would cause an extensive delay. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried with one nay vote.

(41) 12-10-42 Changing Footprints, Rushville

Nick Guerrini, Emerald Group, Inc, spoke as proponent. The request was to allow the use of nonrated residential doors in the fire barrier on the second floor of the building. The non-profit organization which takes donated shoes, cleans them, then ships them for distribution to the needy, occupies the second floor of the building. The first and third floors are used by the City of Rushville for storage. The electrical service had been upgraded, and the ceiling was now rated at 2-hours and walls had been brought up to a 1-hour rating. The ten volunteers would occupy the space mostly on weekends, and would be familiar with the exiting. During discussion, confusion had arisen concerning which and how many doors were actually involved in the variance request. Commissioner Christoffersen then moved to table to allow the proponent time to speak with his design professional, with the second by Commissioner Brenner. It was voted upon and carried.

(42) 12-10-43 McOuat Building Renovation and Conversion, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. A design change resulted in the relocation of the elevator control room to the seventh floor of the existing building. A variance had been previously granted for the elevator to allow floors supporting the 2-hour shaft to be nonrated, but did not specifically include the control room floor. The request was to amend the variance to include the control room floor. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(43) 12-10-44 Nora Elementary Safety Improvement, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The request was to be allowed to install a selective locking device in the four alternative education classrooms. Each classroom had six students, but if staff were to be busy with an emergency, it was feared the others would wander. The device requested was a Wanderguard system which uses a bracelet which triggers a lock when it comes within five feet of the door. The lock fails open upon loss of power, and the door can always be opened from the hallway side of the door. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried with one nay vote.

Breaking and reconvening. Chairman Hannum recessed the Commission at 3:12 p.m. It was called back to order by Chairman Hannum at 3:27 p.m.

At the request of Mara Snyder, Director, Legal and Code Services, and agreement of Commissioner Hite, State Board of Health, the discussion of the amendment to the Swimming Pool Code concerning circulation systems was moved to the November agenda.

6. Review and clarification of Variance 10-04-45(b)

Members of the Commission were given a copy of the variance in question and a memo from Mara Snyder, Director, Legal and Code Services, in which she described the construction of an exterior stairway from the fourth floor of the building to the third floor. The owner had agreed to install a non-required interior door to provide a second means of egress as a condition to encourage the use of the exit enclosure, not the open stair, to eliminate a convergence issue. The exterior stair would bring the fourth floor occupants back to the third floor but into a hallway and not into the exit enclosure. She asked the members of the Commission if the stairway, begun without CDR or local permit, would be covered by the variance as granted. Following discussion, the consensus of the Commission members was that the stairway was not covered under the variance.

7. New Business – General.

Discussion and possible Commission action

Traders Point Creamery
Administrative Cause No. 12-02
Order – Pike Twp. Fire Department
Nonfinal Order of Dismissal

Be Here Now
Administrative Cause No. 12-11
Order – Muncie Fire Department

Nonfinal Order of Dismissal

Traders Point Creamery
Administrative Cause No. 12-12
Grant of variance
Nonfinal Order of Dismissal

Jasper Memorial Hospital
Administrative Cause No. 12-18
Order – Fire and Building code Enforcement, Elevator Div.
Nonfinal Order of Dismissal

Scott County State Bank
Austin Branch
Administrative Cause No. 12-21
Condition of CDR
Nonfinal Order of Dismissal

Victory Theatre
Administrative Cause No. 12-25
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

Evansville Auditorium & Convention Center
Administrative Cause No. 12-26
Order – Fire and Building code Enforcement
Nonfinal Order of Dismissal

Commissioner Corey moved to affirm the Nonfinal Orders of Dismissal, with the second by Commissioner Mitchell. It was voted upon and carried.

Zeller Elevator
Administrative Cause No. 12-05
Nonfinal Order
Objections to Nonfinal Order
Briefs from both parties

Following discussion and procedural guidance from Deputy Attorney General Jim Schmidt, Commissioner Mitchell moved to dissolve the Nonfinal Order in Administrative Cause No. 12-05.

Zeller Elevator
Administrative Cause No. 12-10
Nonfinal Order
Objections to Nonfinal Order
Briefs from both parties

Following discussion, Commissioner Mitchell to affirm the Nonfinal Order in Administrative Cause No. 12-10. Commissioner Ogle made the second. It was voted upon and carried.

11. Discussion and Possible Commission action on petitions for review (Timely filed unless otherwise noted.)

Variance 12-09-58
Appeal of fees

Bob Evans Remodel Project #359933
Condition of CDR – *withdrawn by proponent*

Federal Express Primary Sort Building
Order – Elevator Safety Div.

Grace Banquet Hall and Apartments
Order – Fire and Building Code Enforcement

Commissioner Corey moved to approve the petitions for review. Commissioner Mitchell made the second. It was voted upon and carried.

12. Comments

Mara Snyder, Director, Legal and Code Services, asked the members of the Commission to consider, in the event that both the Chairman and the Vice-Chairman were unable to attend the same meeting, who would be the next in line to chair the meeting. Noting the time, it was decided that discussion was to be held next month. She also announced that the notice of intent for NFPA 72 had been filed, and that the fiscal study was underway.

13. Adjournment.

Chairman Hannum called for further business, and upon hearing none, adjourned the meeting at 4:27 p.m.

APPROVED

David Hannum, Chairman